

Message Text

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ACTION OES-07

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DODE-00 DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01
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TO SECSTATE WASHDC IMMEDIATE 7392

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E.O. 11652: N/A
TAGS: EFIS, CA
SUBJECT: U.S.-CANADA MEETING ON 1978 INTERIM FISHERIES
AGREEMENT

1. THE FOLLOWING CONTINGENCY PRESS GUIDANCE, DEVELOPED
JOINTLY BY THE U.S. AND CANADIAN DELEGATIONS, IS TO BE
USED ORALLY ONLY AND IS EMBARGOED UNTIL 3:00 P.M. MAY 12:

2. BEGIN TEXT: THE CHIEF NEGOTIATORS - MARCEL CADIEUX FOR
CANADA AND LLOYD N. CUTLER FOR THE UNITED STATES - AND
THEIR OFFICIALS MET IN OTTAWA ON MAY 11 AND 12 TO DISCUSS
DIFFICULTIES ARISING OUT OF THE IMPLEMENTATION OF THE 1978
INTERIM RECIPROCAL FISHERIES AGREEMENT.

"MR CUTLER INFORMED THE CANADIAN SIDE THAT THE MAY 5
INJUNCTION OF THE FEDERAL DISTRICT COURT IN SEATTLE
BARRING CANADIAN SALMON TROLLING OFF THE U.S. WEST COAST
HAS BEEN STAYED FOR AN INDEFINITE PERIOD PENDING APPEAL
BY THE U.S. GOVERNMENT. MR. CUTLER ALSO EXPLAINED THAT
HE HAD REACHED AN UNDERSTANDING WITH COUNSEL FOR THE
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PLAINTIFFS, THE WASHINGTON STATE TROLLERS ASSOCIATION,
WHEREBY THE PLAINTIFFS WOULD ENTER A MOTION TO DISMISS
THE LAWSUIT IN LIGHT OF THE FACT THAT MR. CUTLER HAD
AGREED TO CONSULT THE CHAIRMEN OF THE RELEVANT SENATE AND
HOUSE COMMITTEES BEFORE IMPLEMENTING THE PROVISIONS OF
THE INTERIM AGREEMENT GRANTING CANADIAN FISHERMEN MORE
FAVOURABLE ACCESS TO THE SALMON TROLL FISHERY OFF

WASHINGTON STATE THAN THEY ENJOYED IN 1977 UNDER CERTAIN CIRCUMSTANCES RELATING TO THE CLOSURE OF THE SSB AREA TO SALMON TROLLING DURING THE PERIOD APRIL 15 TO JUNE 14, 1978.

"MR. CADIEUX RAISED SERIOUS DIFFICULTIES WHICH HAD ARISEN ON THE ATLANTIC COAST WITH RESPECT TO REGULATIONS ON COD AND HADDOCK PROPOSED BY THE NEW ENGLAND FISHERIES COUNCIL AND ALSO CONCERNING THE ABSENCE OF U.S. REGULATIONS FOR THE SCALLOP AND POLLOCK FISHERIES. MR. CUTLER AGREED THAT THESE MATTERS SHOULD BE DISCUSSED AT A MEETING OF THE BILATERAL ATLANTIC COAST CONSULTATIVE COMMITTEE SCHEDULED FOR MAY IN HALIFAX. HE ALSO GAVE ASSURANCES THAT THE REGULATIONS PROPOSED FOR THE STOCKS IN QUESTION WOULD NOT BE FINALIZED UNTIL FULL CONSIDERATION HAD BEEN GIVEN TO CANADIAN INTERESTS AND CONCERNS.

"THE NEGOTIATORS RAISED SEVERAL PROBLEMS WHICH HAVE DEVELOPED ON THEIR RESPECTIVE SIDES WITH RESPECT TO THE IMPLEMENTATION OF THE INTERIM AGREEMENT ON THE PACIFIC COAST. IN PARTICULAR, MR. CADIEUX INFORMED THE U.S. SIDE THAT CANADA WILL IMMEDIATELY CLOSE THE SWIFTSURE BANK AREA TO SALMON TROLL FISHERY AS REQUESTED BY U.S. AUTHORITIES. HE STATED CANADA EXPECTS THAT, IN RETURN, THE U.S. WILL IMPLEMENT THOSE PROVISIONS OF THE AGREEMENT GIVING CANADIAN SALMON TROLL FISHERMEN ACCESS FROM 3 TO LIMITED OFFICIAL USE

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12 MILES OFF THE COAST OF WASHINGTON STATE WHICH THEY HAVE BEEN DENIED SINCE MAY 1. MR. CADIEUX EXPRESSED THE VIEW THAT THE IMPLEMENTATION BY BOTH COUNTRIES OF ALL PROVISIONS OF THE INTERIM AGREEMENT WOULD BE NECESSARY IN ORDER TO OBTAIN THE ENDORSEMENT OF GOVERNMENT REQUIRED TO BRING THE AGREEMENT INTO FORCE. MR. CUTLER STATED THAT SINCE CANADA HAD NOT TAKEN SUFFICIENT ACTION TO CLOSE THE SSB AREA UNTIL THE MIDDLE OF MAY, THE UNITED STATES CONSIDERED IT HAD NO OBLIGATION UNDER THE INTERIM AGREEMENT TO GRANT CANADIAN SALMON TROLL FISHERMEN MORE FAVORABLE TERMS THAN DURING THE 1977 SEASON, BUT THAT HE WOULD REVIEW WITH THE EXECUTIVE BRANCH AND CONGRESS WHAT WOULD BE APPROPRIATE IN THE LIGHT OF THE FULL CLOSURE IN MID-MAY.

"THE TWO NEGOTIATORS AGREED THAT PENDING RESOLUTION OF THESE ISSUES THE CONSULTATIVE MACHINERY PROVIDED FOR UNDER THE INTERIM AGREEMENT SHOULD BE ACTIVATED IMMEDIATELY. THE CONSULTATIVE COMMITTEES FOR BOTH COASTS, WHICH WOULD MEET SHORTLY, WOULD BEGIN THEIR WORK BY CARRYING FORWARD THE DISCUSSION OF SEVERAL OF THE ISSUES RAISED AT THE MEETING OF MAY 10-11. THE CHIEF NEGOTIATORS

AGREED TO MEET AGAIN ON MAY 25-26 TO REVIEW THE PROGRESS
MADE TOWARD RESOLVING THE OUTSTANDING ISSUES.
ENDERS

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